

ADEQ REGULATORY AGENDA FOR 2006

This table was produced by the Arizona Department of Environmental Quality to comply with A.R.S. § 41-1021.02. Pursuant to A.R.S. § 41-1021.02(D), ADEQ may undertake a rulemaking even if the rulemaking is not included on the annual regulatory agenda.

For the current status of ADEQ's rulemakings, or for contact information, please check the Department's web site:

Draft and Proposed ADEQ Rules [<http://www.azdeq.gov/function/laws/draft.html>] and *Final ADEQ Rules*
[<http://www.azdeq.gov/function/laws/final.html>]

I. Rulemakings Expected to Be Underway in 2006¹

Office of Administrative Counsel	Docket Opening ²	NPRM ³	NFRM ⁴	Federal Funding ⁵
Licensing Time Frames II (18 A.A.C. 1, Art. 5)	June 2005	March 2006	June 2006	No

Air Quality Division	Docket Opening ²	NPRM ³	NFRM ⁴	Federal Funding ⁵
State Hazardous Air Pollutants (HAPs) Program (18 A.A.C. 2, Art. 17)	October 2004; October 2005	December 2005	March 2006	No
Transportation Conformity (18 A.A.C. 2, Art. 14)	June 2005	January 2006	May 2006	No
Federal Equivalency Package (18 A.A.C. 2, Art. 1, 2, 3, 4, 5, 6, 7, and 8)	January 2006	January 2006	April 2006	No
NSPS/NESHAP/Acid Rain 2005 (18 A.A.C. 2, Art. 2, 3, 9, 11, and Appendix 2)	February 2006	February 2006	May 2006	Yes
Cleaner Burning Gasoline (CBG) (20 A.A.C. 2, Art. 7) (<i>Ariz. Dep. of Weights & Measures rule, in consultation with ADEQ</i>)	July 2005	March 2006	June 2006	No
VEI Technical Fixes (18 A.A.C. 2, Art. 10)	February 2006	April 2006	July 2006	No

Air Quality Division	Docket Opening²	NPRM³	NFRM⁴	Federal Funding⁵
Air Pollution Emergency Episodes (18 A.A.C. 2, Art. 2)	March 2006	June 2006	September 2006	No
Mercury Emissions from Coal-fired Electric Generating Units 18 A.A.C. 2, Art. 7)	April 2006	August 2006	November 2006	No
NSR SIP Gap/NSR Reform (18 A.A.C. 2, Art. 4)	April 2006	September 2006	December 2006	No
Regional Haze Trading Rule Revisions (18 A.A.C. 2, Art. 16)	April 2006	December 2006	March 2007	No

Tank Programs Division	Docket Opening²	NPRM³	NFRM⁴	Federal Funding⁵
State Assurance Fund Rules (18 A.A.C. 12, Art. 6)	February 2005	August 2005	January 2006	No

Waste Programs Division	Docket Opening²	NPRM³	NFRM⁴	Federal Funding⁵
Soil Remediation Standards (18 A.A.C. 7, Art. 2)	April 2005	January 2006	October 2006	No
WQARF Prospective Purchaser Agreement Fee (18 A.A.C. 7, Art. 3)	April 2005	August 2005	November 2005	No
Engineering Controls Financial Assurance (18 A.A.C. 7, Art. 7)	April 2005	January 2006	December 2006	No
Hazardous Waste 2005 (18 A.A.C. 8, Art. 2)	November 2005	July 2006	December 2006	Yes
Integrated Solid Waste Regulatory Framework (18 A.A.C. 13)	February 2005	March 2006	December 2006	No
Special Waste/Petroleum Contaminated Soil (18 A.A.C. 13, Art. 13 and Art. 16)	April 2005	March 2006	November 2006	No

Water Quality Division	Docket Opening²	NPRM³	NFRM⁴	Federal Funding⁵
Safe Drinking Water Omnibus Incorporation by Reference Rule (18 A.A.C. 4)	January 2006	March 2006	May 2006	Yes
Water and Wastewater Operator Certification and Facility Classification Rules (18 A.A.C. 5, Art. 1)	February 2006	May 2006	August 2006	Yes
Subdivisions (18 A.A.C. 5, Art. 4)	December 2006	April 2006	July 2006	No
Minimum Design Criteria for Public Water Systems (18 A.A.C. 5, Art. 5)	February 2006	May 2006	August 2006	Yes
Surface Water Quality Standards (18 A.A.C. 11, Art. 1)	December 2005	March 2006	August 2006	No
Aquifer Water Quality Standards (18 A.A.C. 11, Art. 4)	January 2006	August 2006	October 2006	No
Impaired Water Identification (18 A.A.C. 11, Art. 6)	December 2005	February 2006	June 2006	No
Water Quality Protection Fees (18 A.A.C. 14, Art. 1)	December 2005	June 2006	August 2006	No
Public Water System Design Review Fees (18 A.A.C. 14, Art. 2)	February 2006	July 2006	September 2006	No

¹ 2006 dates are tentative (see footnotes below.)

² Anticipated date of publication of the Notice of Docket Opening in the *Arizona Administrative Register*.

³ Anticipated date of publication of the Notice of Proposed Rulemaking in the *Arizona Administrative Register*.

⁴ Anticipated date of submission of the Notice of Final Rulemaking to the Governor's Regulatory Review Council.

⁵ Some of ADEQ's rules implement federal laws such as the Clean Air Act, Clean Water Act, and Safe Drinking Water Act. ADEQ's related programs are partially funded by the U.S. Environmental Protection Agency, pursuant to a cooperative agreement under which ADEQ assumes responsibility for implementing the laws in Arizona.

II. Reviews of Existing Rules Due in 2006

5-Year-Review Due	Rules Being Reviewed
January 2006	18 A.A.C. 11, Article 3, Reclaimed Water Quality Standards
February 2006	18 A.A.C. 9, Article 6, Reclaimed Water Conveyances
April 2006	18 A.A.C. 5, Reviews and Certification
April 2006	18 A.A.C. 2, Articles 14 & 15, Conformity Determinations; Management Burns
April 2006	18 A.A.C. 9, Article 5, Grazing Best Management Practices
May 2006	18 A.A.C. 2, Articles 1-5, 7, 9 & 11, Air Pollution Control
May 2006	18 A.A.C. 9, Article 10, Biosolids

III. Rules Terminated in 2005

Rule	Notice of Termination of Rulemaking
Diesel Incentive Program (18 A.A.C. 2, Art. 10)	Docket expired February 2005; a rule was contemplated under the old program, but is no longer needed to implement the new program.
Ammonia Reporting (18 A.A.C. 2, Art. 3)	Docket expires January 2006; an order was drafted to meet requirements.
WQARF Prospective Purchaser Agreement Fee (18 A.A.C. 7, Art. 3)	April 8, 2005 (11 A.A.R. 1363). This rule was terminated to address an issue raised by GRRC staff; ADEQ filed a new notice of docket opening and notice of proposed rulemaking as indicated in section (I) above.

IV. Privatization Options and Other Nontraditional Regulatory Approaches Being Considered

Rule	Privatization Option or Other Nontraditional Regulatory Approach
	None determined at this time.